

FORM PTO-1390
(REV 2-2005)
OMB-0651-0021

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

ATTORNEY DOCKET NO.
12054-0070

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**

DATE: **May 18, 2007**

U.S. APPLN. NO.
(IF KNOWN, SEE 37 C.F.R. 1.5)
10/590,863

INTERNATIONAL APPLICATION NO.
PCT/JP2004/015043

INTERNATIONAL FILING DATE
October 13, 2004

PRIORITY DATE CLAIMED
March 1, 2004

TITLE OF INVENTION: **METHOD FOR PRODUCING Ti OR Ti ALLOY THROUGH REDUCTION BY Ca (as amended)**

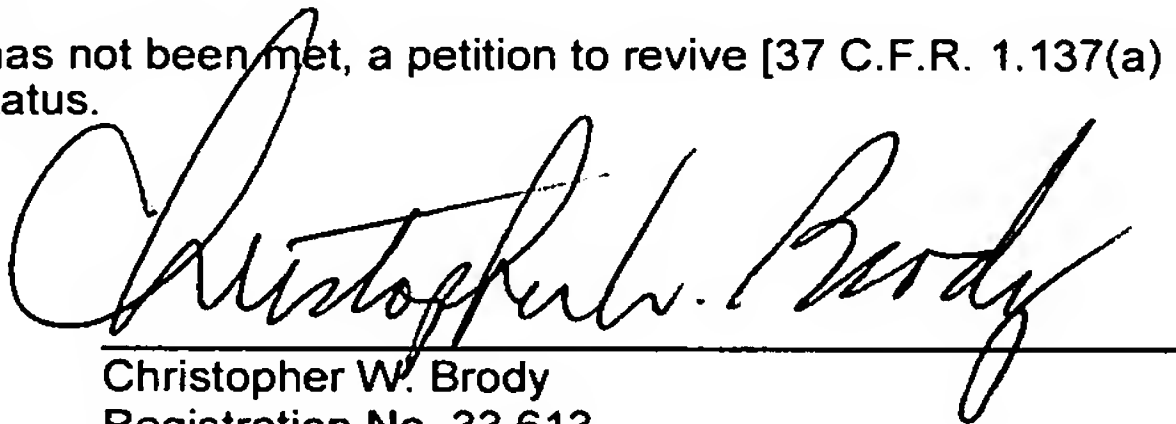
APPLICANT(S) FOR DO/EO/US: **Tadashi OGASAWARA, Makoto YAMAGUCHI, Masahiko HORI, Toru UENISHI, and Kazuo TAKEMURA**

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371. (THE BASIC FILING FEE IS ATTACHED)
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This express request to begin national examination procedures [35 U.S.C. 371(f)] at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☐ The US has been elected (Article 31).
5. ☐ A copy of the International Application as filed [35 U.S.C. 371(c)(2)]
 - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ has been transmitted by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed [35 U.S.C. 371(c)(2)].
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 [35 U.S.C. 371(c)(3)]
 - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ have been transmitted by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 [35 U.S.C. 371(c)(3)].
9. ☐ An oath or declaration of the inventor(s) [35 U.S.C. 371(c)(4)].
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 [35 U.S.C. 371(c)(5)].

Items 11 - 20 below concern other document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included.
13. ☐ A FIRST preliminary amendment.
☐ A SECOND or SUBSEQUENT preliminary amendment.
14. ☐ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information: **SUBMISSION OF TRANSLATION OF INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY**

| | | | | | |
|--|--------------|---|----------------|--|---------------------|
| U.S. APPLN. NO. (IF KNOWN, SEE 37 C.F.R. 1.50) 10/590,863 | | INTERNATIONAL APPLICATION NO. PCT/JP2004/015043 | | ATTORNEY DOCKET NO. 12054-0070 DATE: May 18, 2007 | |
| <input type="checkbox"/> The following fees are submitted: | | | | CALCULATIONS | PTO USE ONLY |
| <input type="checkbox"/> 21.) Basic National Fee \$300 | | | | \$ | |
| <input type="checkbox"/> 22.) Examination Fee - If International Preliminary Examination Report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4) \$100 All other situations \$200 | | | | \$ | |
| <input type="checkbox"/> 23.) Search Fee - If Search Fee (37 CFR 1.445(a)(2) has been paid in the International Application to the USPTO as an International Searching Authority \$100 International Search Report prepared and provided to the Office. \$400 All other situations \$500 | | | | \$ | |
| TOTAL OF 21, 22 and 23 = | | | | \$ | |
| <input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing on computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof. | | | | \$ | |
| Total Sheets | Extra Sheets | Number of each additional 50 or fraction thereof (round up to a whole number) | RATE | | |
| -100 | 0/50= | | x \$250 | \$ | |
| Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date [37 C.F.R. 1.492(h)]. | | | | \$ | |
| Claims | Number Filed | Number Extra | Rate | | |
| Total Claims | - 20 = | 0 | X \$50.00 | \$ | |
| Independent Claims | - 3 = | 0 | X \$200.00 | \$ | |
| Multiple dependent claim(s) (if applicable) | | | + \$360.00 | \$ | |
| TOTAL OF ABOVE CALCULATIONS = | | | | \$ | |
| Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by ½ | | | | \$ | |
| SUBTOTAL = | | | | \$ | |
| Processing fee of \$130.00 for furnishing the English translation later the 30 months from the earliest claimed priority date [37 C.F.R. 1.492(f)]. | | | | \$ | |
| TOTAL NATIONAL FEE = | | | | \$ | |
| Fee for recording the enclosed assignment [37 C.F.R. 1.21(h)]. The assignment must be accompanied by an appropriate cover sheet (37 C.F.R. 3.28, 3.31). \$40.00 per property | | | | \$ | |
| TOTAL FEES ENCLOSED = | | | | \$ | |
| | | | | Amount to be refunded | \$ |
| | | | | Charged | \$ |
| a. <input type="checkbox"/> A check in the amount of \$0 to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge Counsel's Deposit Account No. 50-1088 in the amount of \$_____ to cover the above fee. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Counsel's Deposit Account No. 50-1088. d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. | | | | | |
| NOTE: Where an appropriate time limit under 37 C.F.R. 1.494 or 1.495 has not been met, a petition to revive [37 C.F.R. 1.137(a) or (b)] must be filed and granted to restore the application to pending status. | | | | | |
| SEND ALL CORRESPONDENCE TO: CLARK & BRODY 1090 Vermont Avenue, N.W. Suite 250 Washington, D.C. 20005 Telephone: 202-835-1111 Fax: 202-835-1755 Customer Number: 22902 | | | | | |
| | | | |  Christopher W. Brody Registration No. 33,613 Date: May 18, 2007 | |

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Tadashi OGASAWARA et al.

Art Unit: not yet assigned

Application No.: 10/590,869

Examiner: not yet assigned

Filed: 08/28/2006

Attorney Dkt. No.: 12054-0070

For: METHOD FOR PRODUCING Ti OR Ti ALLOY THROUGH REDUCTION BY
Ca (as amended)

**SUBMISSION OF TRANSLATION OF INTERNATIONAL
PRELIMINARY REPORT ON PATENTABILITY**

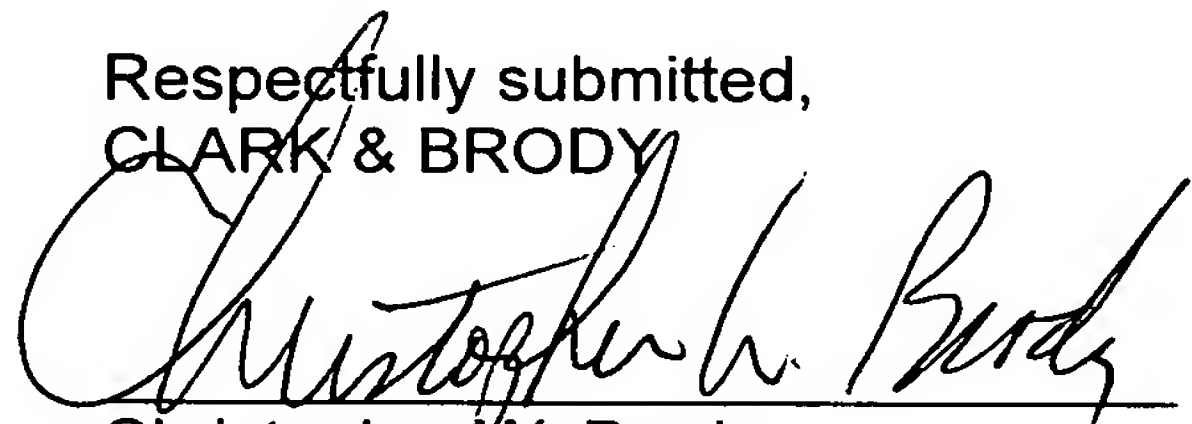
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

For the Examiner's convenience, Applicants respectfully submit herewith a copy of the translation of the International Preliminary Report on Patentability which was issued in the related International Application. The references cited therein have already been disclosed by Applicants in the Information Disclosure Statement filed on December 20, 2006.

Applicants respectfully submit that there is no fee required for this submission, however, please charge any fee deficiency or credit any overpayment to Deposit Account No. 50-1088.

Respectfully submitted,
CLARK & BRODY



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Registration No. 33,613

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Date: May 18, 2007